

Article - Natural Resources

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§5–1010.

(a) The General Assembly finds that:

(1) In order to provide the public with access to the use, enjoyment, and appreciation of the outdoor areas of Maryland, it is declared to be the public policy of this State to provide the means and procedures for establishing and expanding a network of recreational and scenic trails;

(2) Abandoned railroad corridor property is a unique source of land corridors that are, in many cases, suitable for recreational trails;

(3) Railroad corridor property is being abandoned at a high rate and is often sold in segments, thereby fragmenting the original corridors and leaving unconnected segments which may be suitable for acquisition for recreational trail use;

(4) The preservation of abandoned rail corridor property for use as recreational trails is in the public interest; and

(5) A systematic and continuing statewide program of acquiring abandoned railroad corridor property is needed to preserve this unique and irreplaceable source of recreational trails.

(b) (1) The Department shall maintain liaison with, provide factual data to, and work with the Department of Transportation, the State Railroad Administration, the Department of Planning, other agencies, and local governments to determine the suitability for trail purposes of railroad corridor property proposed for abandonment.

(2) The Department may conduct feasibility studies and appraisals of railroad corridor property proposed for abandonment.

(3) The Department may acquire railroad corridors pursuant to the National Trails Systems Act, 16 U.S.C. § 1241 et seq., as amended.

(c) (1) If, under the provisions of § 7-901 of the Transportation Article, the Department of Transportation acquires railroad corridor property considered suitable for use as recreational trails, the Department may request interim use of the property for public recreational use.

(2) The Department may lease a corridor from the Department of Transportation and sublease it to a local government subject to all the terms and conditions of the original lease.

(3) Any lease of railroad corridor property by the Department for interim use for public recreation shall be subject to restoration or reconstruction for railroad purposes, and the interim use may not be considered as an abandonment of the use of the railroad corridor for railroad purposes.

(4) Prior to undertaking the development of a railroad corridor property for recreational use the Department shall conduct a public hearing in the affected county. The hearing shall be advertised in a newspaper of general circulation in the affected county for 3 consecutive weeks.

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